

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

ACUITY, A MUTUAL INSURANCE)	
COMPANY,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:23-CV-15-SNLJ
)	
JVANWINKLE TRUCKING, LLC, et al.)	
)	
Defendants.)	

MEMORANDUM AND ORDER

Plaintiff Acuity filed this interpleader action, naming the Missouri Highways and Transportation Commission (“MHTC”) as a defendant.¹ [Doc. 1.] Defendant MHTC filed this motion to dismiss, stating that it suffered no damages from the incident alleged in plaintiff’s petition and disclaiming any interest in the potential recovery. [Doc. 12.] Plaintiff has not objected to the dismissal, and the time for doing so has passed. Seeing no objection, the motion will be granted.

¹ Plaintiff named MHTC as “the Missouri Department of Transportation” in its petition. [Doc. 1.]

Accordingly,

IT IS HEREBY ORDERED that defendant's motion to dismiss is GRANTED and defendant MHTC is dismissed from the case.

So ordered this 6th day of March, 2023.

A handwritten signature in black ink, reading "Stephen N. Limbaugh, Jr.", written over a horizontal line.

STEPHEN N. LIMBAUGH, JR.
SENIOR UNITED STATES DISTRICT JUDGE